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PATENTS  
ODS-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants : Richard Earl McNutt et al.  
Application No. : 09/330,963 Confirmation No. : 1075  
Filed : June 11, 1999  
For : METHODS AND SYSTEMS FOR INTERACTIVE  
WAGERING USING MULTIPLE TYPES OF USER  
INTERFACES

Group Art Unit : 3714

Examiner : Tramar Yong Harper

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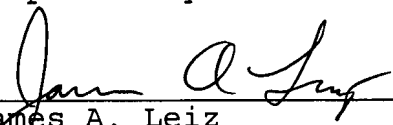
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Sir:

The Director is hereby authorized to charge \$2090.00 to Deposit Account No. 06-1075 (Order No. 003043-0006), in payment of the Appeal Brief filing fee required under 37 C.F.R. § 41.20(b)(2) and the extension of time fee required under 37 C.F.R. § 1.17(a)(4).

The Director is hereby authorized to charge any additional fees that may be due in connection with this Appeal Brief, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003043-0006). A duplicate copy of this Authorization is transmitted herewith.

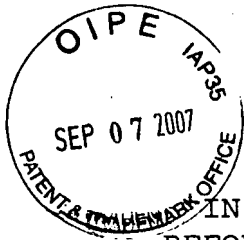
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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Sir:

Appellants are filing this Appeal Brief in support of the March 7, 2007 Notice of Appeal from the rejection of claims 1-9, 11, 12, 15-25, 27, 28, and 31-94 in the Office Action dated November 13, 2006 (hereinafter "Office Action").

The Director is hereby authorized to charge \$500.00 to Deposit Account No. 06-1075 (Order No. 003043-0006) in payment of the filing fee required under 37 C.F.R. § 41.20(b)(2). The Director is also hereby authorized to charge any additional fees that may be due in connection with this Appeal Brief, or credit any overpayment of the same, to Deposit Account No. 06-1075 (Order No. 003043-0006). A separate Authorization to Charge Deposit Account is enclosed for these purposes (in duplicate).

In view of the arguments and authorities set forth below, the Board should find the rejection of claims 1-9, 11,

12, 15-25, 27, 28, and 31-94 to be in error, and the Board should reverse the rejection.

This Brief has the following appendices:

Claims Appendix

Appendix A: Copy of claims 1-9, 11, 12, 15-25, 27, 28, and 31-94 involved in this appeal;

Evidence Appendices

Appendix B: Copy of the Office Action dated November 13, 2006;

Appendix C: Copy of PCT Publication No. WO 97/28636 (hereinafter "Dahl"); and

Appendix D: Copy of Brenner et al. U.S. Patent No. 5,830,068 (hereinafter "Brenner").

Related Proceedings Appendix

None.

(i) Real Party in Interest

Appellants respectfully advise the Board that the real party in interest in the above-identified patent application is ODS Properties, Inc., a corporation organized and existing under the laws of the State of Delaware, and having an office and place of business at 6701 Center Drive West, Los Angeles, CA 90045, which is the assignee of this application.

(ii) Related Appeals and Interferences

Appellants respectfully advise the Board that there are no other appeals or interferences known to appellants, their legal representative, or their assignee that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(iii) Status of Claims

Claims 1-9, 11, 12, 15-25, 27, 28, and 31-94 are rejected in this application and are on appeal. Claims 10, 13, 14, 26, 29, and 30 were previously cancelled.

(iv) Status of Amendments

Appellants' have not submitted any amendment in reply to the November 13, 2006 Office Action, from which this appeal is being sought.

(v) Summary of Claimed Subject Matter

Appellants' independent claims 1, 17, 33, and 46 are directed towards systems and a method for interactive wagering, and computer-readable medium encoded with instructions for providing information in an interactive wagering system. Data relating to a plurality of wagering accounts is stored in a database. A plurality of types of user interface systems receive wager information from a user and provide data relating to a single wagering account to the user. One of the user interface systems is a television wagering control system that receives wager information from a television wagering terminal. At least another of the user interface systems is either an interactive voice response control system or a computer wagering control system.

Support in the specification for claims 1, 17, 33, and 46 is found at least in the locations indicated in the following table, which also identifies the means-plus-function clauses of claim 46:

Claim 46	The Specification
46. A system for interactive wagering, the apparatus comprising:	See, e.g., page 3, lines 11-14; and FIGS. 1-3A.
means for storing data relating to a plurality of	See, e.g., page 3, lines 25-29; page 9, lines 26-

Claim 46	The Specification
wagering accounts in a database; and	30; page 10, lines 16-24; page 12, lines 27-30; page 16, lines 10-26; tote companies 114 (FIG. 1); racing data providers 116 (FIG. 1); database 204 (FIG. 2); and subscriber database 302 (FIG. 3).
means for using a plurality of types of user interface systems to receive data relating to a single wagering account stored in the database, receive wager information from a user and provide data relating to a single wagering account to the user,	See, e.g., page 5, line 4 - page 6, line 4; page 10, lines 16-24; page 19, lines 21-26; wagering data hub 102 (FIG. 1); communication link 150 (FIG. 1); data distribution system 202 (FIG. 2); set-top server (non-telco) 206 (FIG. 2); set-top server (telco) 206 (FIG. 2); IVR server 210 (FIG. 2); PC server 212 (FIG. 2); modem bank 214 (FIG. 2); set-top boxes 104 (FIG. 1); user telephones 106 (FIG. 1); and user computers 108 (FIG. 1); telephone line 144 (FIG. 1); computer network 146 (FIG. 1); communications links 128, 130, and 136 (FIG. 1); database 204 (FIG. 2); subscriber database 302 (FIG. 3); and SMS 110 (FIG. 3).
wherein one of the plurality of types of user interface systems is a television wagering control system,	See, e.g., page 3, line 24 - page 4, line 21; page 18, line 20 - page 19, line 20; wagering data hub 102 (FIG. 1) TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
wherein at least another of the plurality of types of user interface systems is selected from the group	See, e.g., page 5, lines 4-25; page 6, lines 5-12; wagering data hub 102 (FIG. 1); IVR server 210

Claim 46	The Specification
consisting of an interactive voice response control system and	(FIG. 2); and user telephones 106 (FIG. 1).
a computer wagering control system, and wherein:	See, e.g., page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
means for using the interactive voice response control system comprises:	See, e.g., page 2, lines 2-10; page 3, line 24 - page 4, line 21; wagering data hub 102 (FIG. 1); IVR server 210 (FIG. 2); and user telephones 106 (FIG. 1).
means for receiving a telephone call from an external source;	See, e.g., page 4, lines 1-8; page 6, lines 5-12; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
means for providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and	See, e.g., page 14, lines 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); user telephones 106 (FIG. 1); telephone line 144 (FIG. 1); set-top server (telco) 208 (FIG. 2); and IVR server 210 (FIG. 2).
means for receiving the wager information from the external source through the telephone call;	See, e.g., page 14, line 24 - page 15, line 2; page 12, lines 3-10; wagering data hub 102 (FIG. 1); and telephone line 144 (FIG. 1).
means for using the computer wagering control system comprises:	See, e.g., page 3, line 24 - page 4, line 21; page 12, lines 11-18; wagering data hub 102 (FIG. 1); and user computers 108 (FIG. 1).

Claim 46	The Specification
means for providing the data relating to the single wagering account to an external computer; and	See, e.g., page 12, lines 11-18; page 13, line 28 - page 14, line 13; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); and user computers 108 (FIG. 1).
means for receiving the wager information from the external computer through the Internet; and	See, e.g., page 12, lines 11-18; page 15, lines 3-11; wagering data hub 102 (FIG. 1); PC server 212 (FIG. 2); user computers 108 (FIG. 1); modem bank 214 (FIG. 2); and communication link 146 (FIG. 1).
means for using the television wagering control system comprises:	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and set-top boxes 104 (FIG. 1).
means for providing the data relating to the single wagering account to a television distribution system; and	See, e.g., page 11, line 10 - page 12, line 2; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 132 and 134 (FIG. 1).
means for receiving the wagering information from a television wagering terminal.	See, e.g., page 11, line 10 - page 12, line 2; page 18, lines 1-19; wagering data hub 102 (FIG. 1); TV distribution system 112 (FIG. 1); and communication links 136, 138, and 142 (FIG. 1).

(vi) Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejection are to be reviewed on this appeal:

(a) Whether or not appellants' claims 1-9, 11, 15-25, 27, 31-42, 44-55, and 57-94 are unpatentable under 35 U.S.C. § 103(a) over Dahl in view of Brenner.

(b) Whether or not appellants' claims 12, 28, 43, and 56 are unpatentable under 35 U.S.C. § 103(a) over Dahl in view of Brenner in further view of Sakanishi et al. U.S. Patent No. 5,042,063.

(vii) Argument

"A patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time of the invention was made to a person having ordinary skill in the art to which said subject matter pertains." 35 U.S.C. § 103.

Thus, to determine the obviousness of the subject matter of appellants' claimed invention "[u]nder § 103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved." *Graham v. John Deere*, 383 U.S. 1, 6 (1966).

Appellants respectfully submit that appellants' claimed invention is non-obvious because one of skill in the art would not find it obvious to modify Dahl to include the set-top wagering terminal of Brenner.

A. The Difference Between Dahl And Appellants' Claimed Invention Is That Dahl Fails To Disclose A Television Wagering Control System That Receives Wagering Information From A Television Wagering Terminal

Dahl is directed to a method and a system for wagering via an interactive telecommunication network. See Dahl, Abstract. Dahl states that a "minimum requirement" of his



invention is that "each player must have possibility for telephone contact with the [central gambling unit]" (page 4, lines 39-40). A player of Dahl initiates contact with the central gambling unit using the telephone (See Dahl, page 5, lines 5-6). In the simplest embodiment, the player uses only the telephone to interact with the gambling unit (See Dahl, page 3, lines 5-8). If the player also has access to teletext pages on a television, Dahl's system can send a teletext page to the player in response to requests received over the telephone (See Dahl, page 5, lines 17-29 and page 8, line 41 to page 9, line 17).

The Examiner in the following quote from the November 13, 2006 Office Action appears to agree with the foregoing description of Dahl: "Dahl ...teaches a television control system that comprises of a television & telephone interface, wherein a player can input wagering information via the telephone and visually see wagering and gaming information via the television" (page 3, lines 11-14).

Accordingly, the difference between Dahl and appellants' claimed invention is that Dahl fails to disclose a television wagering control system that receives wagering information from a television wagering terminal.

In rejecting the independent claims, the Examiner makes three other statements in the Office Action that suggest that the Examiner may believe that Dahl also discloses the use of two-way television links in his system. Appellants respectfully disagree that Dahl discloses the use of two-way television links in his system. Appellants address each of the Examiner's statements below.

The Examiner states in the Office Action that "Dahl discloses that the gambling system establishes two-way communications via television links, telephone networks, and

direct transmission lines" (page 3, lines 15-17). While appellants agree that the combination of these communication paths in Dahl discloses two-way communications, Dahl only discloses using one-way television links. Dahl discloses transmitting teletext pages to a television. Teletext systems, however, are one-way broadcast-type systems. Nowhere does Dahl teach using a television to transmit any information to the central gambling unit.

The Examiner also states in the Office Action that "Dahl incorporates by reference (Remillard US 5,404,393) that interactive television terminals with set-top boxes are well known in the art" (page 3, lines 14-15). First, Dahl does not incorporate by reference the disclosure of Remillard. Rather, Dahl, identifies Remillard "as an example of prior art ... for accomplishing an interactive television connection using menu-windows." Second, Dahl distinguishes his invention over Remillard. Dahl states that "methods or systems which allow prosecution of a binding participation in a game, and in particular in a game about money via interactive telecommunication systems are not earlier known" (page 1, lines 13-16). Appellants do not disagree that interactive television terminals were known prior to appellants' invention. However, as discussed above, Dahl does not disclose using two-way television links in connection with his invention.

The Examiner next states that "Dahl further discloses that interactive telecommunication systems earlier known in the art may also be included to the system without extending the scope of the said invention" (Office Action, page 3, lines 17-19, emphasis added). Appellants respectfully disagree. The Examiner's statement goes beyond the actual disclosure of Dahl. The Dahl reference includes two relatively simple figures

illustrating the structure of a telecommunications network and other equipment in Dahl's system. Dahl states that:

[I]t should be mentioned that earlier developed details and prior art technique assumed known within this art and relating to interactive telecommunication systems, are not shown in the figures to avoid unnecessary complex examples. Thus, a lot of details and techniques earlier known in connection with interactive telecommunication systems may also be included in the system without extending the scope of the present invention. (page 2, line 35 to page 3, line 1).

Accordingly, contrary to the Examiner's statement, Dahl does not teach that including telecommunication systems as a whole to his system would not extend beyond the scope of his invention. Rather, Dahl teaches including well known techniques to fill in the missing details of his figures. Dahl's figures and corresponding text, however, do not disclose using two-way television links in connection with his invention. Accordingly, modifying Dahl to include two-way television links would not be within the scope of his invention.

In view of the foregoing, Dahl does not disclose using two-way television links in his system. Therefore, as stated above, the difference between Dahl and appellants' claimed invention is that Dahl fails to disclose a television wagering control system that receives wagering information from a television wagering terminal.

- B. The Difference Between Brenner And Appellants' Claimed Invention Is That Brenner Does Not Disclose Using A Plurality Of Types Of User Interface Systems Where One Is A Television Wagering Control System And At Least Another Is Either An Interactive Voice Response Control System Or A Computer Wagering Control System

Brenner is directed to interactive wagering systems and processes. The Examiner correctly states in the Office Action that Brenner discloses transmitting data to a television distribution system and receiving wagering information from a television terminal. Appellants believe the Examiner would agree that the difference between Brenner and appellants' claims is that Brenner does not disclose using a plurality of types of user interface systems to receive data relating to a single account where one is a television wagering control system and at least another is either an interactive voice response control system or a computer wagering control system.

C. One Of Ordinary Skill In The Art Would Not Find It Obvious To Modify Dahl To Achieve Appellants' Claimed Invention

To reject an application based on a combination of references, the Examiner should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does," and should make the analysis explicit. KSR Int'l Co. v. Teleflex Inc., 550 U.S. \_\_\_, 2007 WL 1237837, at \*14-15 (2007). The Examiner, here, did not provide an explicit analysis as to why one of ordinary skill in the art would modify Dahl in view of Brenner to achieve appellants' invention. Rather, the Examiner states that:

It would have been obvious to one of ordinary skill at the time of the invention to modify the television wagering terminal of Dahl with the set-top wagering terminal of Brenner for the purposes and advantages discussed above. (page 4, lines 4-6).

Appellants submit that this analysis is insufficient as a matter of law and the obviousness rejections should be overturned.

Appellants would like to point out that it is not entirely clear what the specific alleged "purposes and advantages" are that the Examiner is relying on for obviousness. The Examiner makes various statements regarding Dahl and Brenner. Accordingly, appellants will address every statement that appellants believe the Examiner may be relying on for obviousness.

The Examiner makes three statements in the Office Action regarding the disclosure of Dahl that appellants believe the Examiner may be relying on for obviousness. All three of these statements are addressed above in subsection A. Each of these statements suggest the Examiner may believe that Dahl discloses the use of two-way television links in his system. However, as discussed in detail above, nowhere does Dahl show or suggest the use of two-way television links in his system. Accordingly, there is nothing in Dahl that would lead one of skill in the art to modify Dahl to include two-way television links such as found in Brenner.

The Examiner makes one statement in the Office Action regarding the disclosure of Brenner that appellants believe the Examiner may relying on for obviousness. The Examiner states that:

Brenner discloses that such a system/interface [i.e., Brenner's system] decreases the amount of connect time via telephone lines and provide[s] more information to the player via the television. Office Action, page 4, lines 1-3.

This statements appears to provide two alleged advantages of Brenner's system that the Examiner may be relying on for obviousness.

One of the alleged advantages of Brenner's system is that it "provide[s] more information to the player via the

television." Dahl's system, however, already provides information to users via a television. Dahl teaches transmitting information to a user's television using a teletext facility. Therefore, Dahl includes the same alleged advantage that the Examiner identifies in Brenner. Accordingly, this alleged advantage of Brenner would provide no motivation for one of skill in the art to make any modification of Dahl.

The other alleged advantage of Brenner's system is that it "decreases the amount of connect time via telephone lines." The Examiner cites to col. 1, line 35 to col. 2 line 29 of Brenner in support of the alleged advantages. Appellants reviewed the cited section and did find any specific statement that Brenner's system decreases the amount of connect time via telephone lines. The cited section of Brenner is located in the "background of the invention" section and discusses limitations of prior existing wagering devices and identifies things that would be desirable in an interactive wagering system.

The discussion of prior existing wagering systems refers to Tiny TIM and BetMate terminals that use only two-way serial modem communications over telephone lines to connect to a wagering service. Brenner notes that these systems "would monopolize the users' telephone line at certain times" (col. 1, lines 49-50). Brenner then continues to state various limitations of these systems (e.g., lack of racing videos, limited data, and LCD displays that make it difficult to display racing information) (see col. 1, line 50 to col. 2, line 7). Brenner also states that these types of systems:

must provide a large number of simultaneous telephone connections to service each of the terminals. Because there is typically an extended connect time associated with each user, such systems are often unwieldy. Col. 1, lines 61-64.

The foregoing refers to limitations of prior existing devices and does not refer to any specific advantage of Brenner's system.

Following the discussion of the prior devices, Brenner provides four statements indicating what would be desirable in an interactive wagering system. None of these statements indicate that it is desirable to decrease the amount of connect time via telephone lines.

Moreover, even if the discussion of the TinyTIM and BetMate systems could be considered a teaching that it is an advantage to decrease the amount of connect time these devices use telephone lines, the Examiner has failed to provide any analysis why one of skill in the art would apply such a teaching to modify Dahl, which is a different system. For example, the Dahl system provides wagering information to a user using a television. This functionality does not exist in the TinyTIM and BetMate systems. In addition, such functionality, which also appears in Brenner, already provides the advantage of decreasing the amount of connect time a person in Dahl would need to use the telephone. Further, Dahl also teaches using a personal computer/Internet unit to send and receive wagering information over an analog or digital line, such as ISDN (see page 7, lines 37-41). This additional functionality, which is also not present in the TinyTIM and BetMate systems, also provides the advantage of decreasing or even eliminating the need for a user of Dahl to use a telephone line.

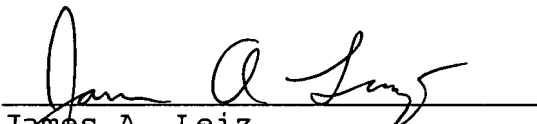
Accordingly, the Examiner's second alleged advantage of Brenner of decreasing the amount of connect time via telephone lines does not appear to be an advantage identified by the section cited to by the Examiner, and even if it was, Dahl already provides such an advantage.

In view of the foregoing, the Examiner has failed to identify any sufficient reason or provide any sufficient analysis why one of ordinary skill in the art would have found it obvious to combine the Dahl's system with the set-top wagering terminal of Brenner to achieve appellants' claimed invention. Appellants respectfully request, therefore, that the rejection of independent claims 1, 17, 33, and 46 under 35 U.S.C § 103(a) be overturned. For at least the same reasons, appellants also respectfully request that the rejections of dependent claims 2-9, 11, 12, 15, 16, 18-25, 27, 28, 31, 32, 34-45, and 47-94 under U.S.C. § 103(a) be overturned.

C. Conclusion

For the reasons set forth above, appellants respectfully submit that claims 1-9, 11, 12, 15-25, 27, 28, and 31-94 are in condition for allowance. The Examiner's rejections of these claims should, therefore, be reversed.

Respectfully submitted,

  
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(viii) Claims Appendix

CLAIMS APPENDIX A  
CLAIMS ON APPEAL

1. A system for interactive wagering, comprising:  
a database that stores data relating to a plurality of  
wagering accounts; and

a plurality of types of user interface systems that  
are configured to:

receive data relating to a single wagering account  
stored in the database;

receive wager information from a user; and

provide the data relating to a single wagering account  
to the user, wherein one of the plurality of types of user  
interface systems is a television wagering control system that  
provides the data relating to the single wagering account to a  
television distribution system and that receives the wager  
information from a television wagering terminal, and wherein at  
least another of the plurality of types of user interface  
systems is selected from the group consisting of:

an interactive voice response control system that  
receives a telephone call from an external source, that  
provides, to the external source through the telephone call,  
voice prompts that correspond to the data relating to the single  
wagering account, and that receives wager information from the  
external source through the telephone call; and

a computer wagering control system that provides the data relating to the single wagering account to an external computer and that receives wager information from the external computer through the Internet.

2. The system of claim 1, wherein the user interface system selected from the group is the interactive voice response control system.

3. The system of claim 2, wherein the television distribution system is a cable system.

4. The system of claim 2, wherein the television distribution system is a satellite television system.

5. The system of claim 2, wherein the television wagering terminal is a cable television set-top box.

6. The system of claim 2, wherein the television wagering terminal is a satellite television receiver.

7. The system of claim 2, wherein the television wagering control system receives the wager information from the television wagering terminal via a telephone system connection.

8. The system of claim 2, wherein the television wagering control system receives the wager information from the television wagering terminal via a cable system connection.

9. The system of claim 2, wherein the television wagering control system receives the wager information from the television wagering terminal via a computer network connection.

10. (cancelled)

11. The system of claim 2, wherein the interactive voice response control system receives the wager information as signals generated in response to one or more telephone key depressions.

12. The system of claim 2, wherein the interactive voice response control system receives the wager information as verbal commands that are spoken by a caller.

13-14. (cancelled)

15. The system of claim 59, wherein the computer wagering control system provides the data relating to the single wagering account to the external computer and receives the wager information from the external computer, through a telephone connection to the external computer.

16. The system of claim 59, wherein the computer wagering control system provides the data relating to the single wagering account to the external computer and receives the wager information from the external computer through a wireless connection to the external computer.

17. A method for interactive wagering, comprising:  
storing data relating to a plurality of wagering accounts in a database; and  
using a plurality of types of user interface systems to receive data relating to a single wagering account stored in

the database, receive wager information from a user and provide data relating to a single wagering account to the user, wherein one of the plurality of types of user interface systems is a television wagering control system, wherein at least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system and a computer wagering control system, and wherein:

- using the interactive voice response control system comprises:

- receiving a telephone call from an external source;
  - providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and

- receiving the wager information from the external source through the telephone call;

- using the computer wagering control system comprises:
  - providing the data relating to the single wagering account to an external computer; and

- receiving the wager information from the external computer through the Internet; and

- using the television wagering control system comprises:

providing the data relating to the single wagering account to a television distribution system; and

receiving the wagering information from a television wagering terminal.

18. The method of claim 17, wherein the user interface system selected from the group is the interactive voice response control system.

19. The method of claim 18, wherein the television distribution system is a cable system.

20. The method of claim 18, wherein the television distribution system is a satellite television system.

21. The method of claim 18, wherein the television wagering terminal is a cable television set-top box.

22. The method of claim 18, wherein the television wagering terminal is a satellite television receiver.

23. The method of claim 18, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a telephone system connection.

24. The method of claim 18, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving wager information from the

television wagering terminal further comprises receiving wager information from the television wagering terminal via a cable system connection.

25. The method of claim 18, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a computer network connection.

26. (cancelled)

27. The method of claim 18, wherein the receiving the telephone call from the external source, the providing, to the external source through the telephone call, the voice prompts that correspond to the data relating to the single wagering account and the receiving wager information from the external source through the telephone call further comprises receiving the wager information as signals generated in response to one or more telephone key depressions.

28. The method of claim 18, wherein the receiving the telephone call from the external source, the providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and the receiving wager information from the external source

through the telephone call further comprises receiving the wager information as verbal commands that are spoken by a caller.

29-30. (cancelled)

31. The method of claim 68, wherein the providing the data relating to the single wagering account to the external computer and the receiving wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a telephone connection to the external computer.

32. The method of claim 68, wherein the providing the data relating to the single wagering account to the external computer and the receiving wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a wireless connection to the external computer.

33. A computer-readable medium encoded with machine-readable instructions for providing information in an interactive wagering system, the machine-readable instructions comprising:

storing data relating to a plurality of wagering accounts in a database; and

using a plurality of types of user interface systems to receive data relating to a single wagering account stored in the database, receive wager information from a user and provide data relating to a single wagering account to the user, wherein one of the plurality of types of user interface systems is a television wagering control system, wherein at least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system and a computer wagering control system, and wherein:

using the interactive voice response control system comprises:

receiving a telephone call from an external source;  
providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and

receiving the wager information from the external source through the telephone call;

using the computer wagering control system comprises:  
providing the data relating to the single wagering account to an external computer; and

receiving the wager information from the external computer through the Internet; and



using the television wagering control system  
comprises:

providing the data relating to the single wagering  
account to a television distribution system; and  
receiving the wagering information from a television  
wagering terminal.

34. The computer-readable medium of claim 33, wherein  
the user interface system selected from the group is the  
interactive voice response control system.

35. The computer-readable medium of claim 34, wherein  
the television distribution system is a cable system.

36. The computer-readable medium of claim 34, wherein  
the television distribution system is a satellite television  
system.

37. The computer-readable medium of claim 34, wherein  
the television wagering terminal is a cable television set-top  
box.

38. The computer-readable medium of claim 34, wherein  
the television wagering terminal is a satellite television  
receiver.

39. The computer-readable medium of claim 34, wherein  
the television wagering control system receives the wager  
information from the television wagering terminal via a  
telephone system connection.

40. The computer-readable medium of claim 34, wherein the television wagering control system receives the wager information from the television wagering terminal via a cable system connection.

41. The computer-readable medium of claim 34, wherein the television wagering control system receives the wager information from the television wagering terminal via a computer network connection.

42. The computer-readable medium of claim 34, wherein the receiving the telephone call from the external source, the providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and the receiving wager information from the external source through the telephone call further comprises receiving the wager information as signals generated in response to one or more telephone key depressions.

43. The computer-readable medium of claim 34, wherein the receiving the telephone call from the external source, the providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and the receiving wager information from the external source through the telephone call further comprises receiving the wager information as verbal commands that are spoken by a caller.

44. The computer-readable medium of claim 77, wherein the providing the data relating to the single wagering account to the external computer and the receiving wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a telephone connection to the external computer.

45. The computer-readable medium of claim 77, wherein the providing the data relating to the single wagering account to the external computer and the receiving wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a wireless connection to the external computer.

46. A system for interactive wagering, the apparatus comprising:

means for storing data relating to a plurality of wagering accounts in a database; and

means for using a plurality of types of user interface systems to receive data relating to a single wagering account stored in the database, receive wager information from a user and provide data relating to a single wagering account to the user, wherein one of the plurality of types of user interface systems is a television wagering control system, wherein at

least another of the plurality of types of user interface systems is selected from the group consisting of an interactive voice response control system and a computer wagering control system, and wherein:

means for using the interactive voice response control system comprises:

means for receiving a telephone call from an external source;

means for providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account; and

means for receiving the wager information from the external source through the telephone call;

means for using the computer wagering control system comprises:

means for providing the data relating to the single wagering account to an external computer; and

means for receiving the wager information from the external computer through the Internet; and

means for using the television wagering control system comprises:

means for providing the data relating to the single wagering account to a television distribution system; and

means for receiving the wagering information from a television wagering terminal.

47. The system of claim 46, wherein the user interface system selected from the group is the interactive voice response control system.

48. The system of claim 47, wherein the television distribution system is a cable system.

49. The system of claim 47, wherein the television distribution system is a satellite television system.

50. The system of claim 47, wherein the television wagering terminal is a cable television set-top box.

51. The system of claim 47, wherein the television wagering terminal is a satellite television receiver.

52. The system of claim 47, wherein the television wagering control system receives the wager information from the television wagering terminal via a telephone system connection.

53. The system of claim 47, wherein the television wagering control system receives the wager information from the television wagering terminal via a cable system connection.

54. The system of claim 47, wherein the television wagering control system receives the wager information from the television wagering terminal via a computer network connection.

55. The system of claim 47, wherein the means for receiving the telephone call from the external source, the means

for providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and the means for receiving wager information from the external source through the telephone call further comprises means for receiving the wager information as signals generated in response to one or more telephone key depressions.

56. The system of claim 47, wherein the means for receiving the telephone call from the external source, the means for providing, to the external source through the telephone call, voice prompts that correspond to the data relating to the single wagering account, and the means for receiving wager information from the external source through the telephone call further comprises means for receiving the wager information as verbal commands that are spoken by a caller.

57. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the external computer and the means for receiving wager information from the external computer further comprises means for providing the data relating to the single wagering account to the external computer and means for receiving the wager information from the external computer, through a telephone connection to the external computer.

58. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the external computer and the means for receiving wager information from the external computer further comprises means for providing the data relating to the single wagering account to the external computer and means for receiving the wager information from the external computer, through a wireless connection to the external computer.

59. The system of claim 1, wherein the user interface system selected from the group is the computer wagering control system.

60. The system of claim 59, wherein the computer wagering control system provides the data relating to the single wagering account to the external computer and receives the wager information from the external computer, through an Internet connection to the external computer.

61. The system of claim 59, wherein the television distribution system is a cable system.

62. The system of claim 59, wherein the television distribution system is a satellite television system.

63. The system of claim 59, wherein the television wagering terminal is a cable television set-top box.

64. The system of claim 59, wherein the television wagering terminal is a satellite television receiver.

65. The system of claim 59, wherein the television wagering control system receives the wager information from the television wagering terminal via a telephone system connection.

66. The system of claim 59, wherein the television wagering control system receives the wager information from the television wagering terminal via a cable system connection.

67. The system of claim 59, wherein the television wagering control system receives the wager information from the television wagering terminal via a computer network connection.

68. The method of claim 17, wherein the user interface system selected from the group is the computer wagering control system.

69. The method of claim 68, wherein the providing the data relating to the single wagering account to the external computer and the receiving the wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through an Internet connection to the external computer.

70. The method of claim 68, wherein the television distribution system is a cable system.

71. The method of claim 68, wherein the television distribution system is a satellite television system.



72. The method of claim 68, wherein the television wagering terminal is a cable television set-top box.

73. The method of claim 68, wherein the television wagering terminal is a satellite television receiver.

74. The method of claim 68, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a telephone system connection.

75. The method of claim 68, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a cable system connection.

76. The method of claim 68, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a computer network connection.

77. The computer readable medium of claim 33, wherein the user interface system selected from the group is the computer wagering control system.

78. The computer readable medium of claim 77, wherein the providing the data relating to the single wagering account to the external computer and the receiving the wager information from the external computer further comprises providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through an Internet connection to the external computer.

79. The computer readable medium of claim 77, wherein the television distribution system is a cable system.

80. The computer readable medium of claim 77, wherein the television distribution system is a satellite television system.

81. The computer readable medium of claim 77, wherein the television wagering terminal is a cable television set-top box.

82. The computer readable medium of claim 77, wherein the television wagering terminal is a satellite television receiver.

83. The computer readable medium of claim 77, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the

wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a telephone system connection.

84. The computer readable medium of claim 77, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a cable system connection.

85. The computer readable medium of claim 77, wherein the providing the data relating to the single wagering account to the television distribution system and the receiving the wager information from the television wagering terminal further comprises receiving the wager information from the television wagering terminal via a computer network connection.

86. The system of claim 46, wherein the user interface system selected from the group is the computer wagering control system.

87. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the external computer and the means for receiving the wager information from the external computer further comprises means for providing the data relating to the single wagering account to the external computer and means for receiving the wager

information from the external computer, through an Internet connection to the external computer.

88. The system of claim 86, wherein the television distribution system is a cable system.

89. The system of claim 86, wherein the television distribution system is a satellite television system.

90. The system of claim 86, wherein the television wagering terminal is a cable television set-top box.

91. The system of claim 86, wherein the television wagering terminal is a satellite television receiver.

92. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the television distribution system and the means for receiving the wager information from the television wagering terminal further comprises means for receiving the wager information from the television wagering terminal via a telephone system connection.

93. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the television distribution system and the means for receiving the wager information from the television wagering terminal further comprises means for receiving the wager information from the television wagering terminal via a cable system connection.

94. The system of claim 86, wherein the means for providing the data relating to the single wagering account to the television distribution system and the means for receiving the wager information from the television wagering terminal further comprises means for receiving the wager information from the television wagering terminal via a computer network connection.

(ix) Evidence Appendix

EVIDENCE APPENDIX B  
COPY OF THE OFFICE ACTION DATED NOVEMBER 13, 2006



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/330,963	06/11/1999	RICHARD EARL MCNUTT	ODS/6	1075

7590 11/13/2006

MATTHEW T BYRNE  
FISH AND NEAVE  
1251 AVENUE OF THE AMERICAS  
NEW YORK, NY 100201104

**RECEIVED**

**NOV 16 2006**

ROPES & GRAY, LLP PATENT DEPT.  
REFERRED TO 121  
NOTED BY \_\_\_\_\_

EXAMINER

HARPER, TRAMAR YONG

ART UNIT PAPER NUMBER

3714

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

File No. ODS/006  
Action Desc: Ref 3 Months  
Due Date: FEB 13 2007  
By [Signature]

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/330,963		MCNUTT ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Tamar Harper		3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11, 12, 15-25, 27, 28 and 31-94 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12, 15-25, 27, 28 and 31-94 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



### **DETAILED ACTION**

Applicant's request for reconsideration of the finality of the rejection of the previous Office Action is persuasive and, therefore, the finality of that action is withdrawn.

Examiner acknowledges receipt of the Applicants Arguments/Remarks filed on April 28, 2005 and August 11, 2006. It has been noted that Claims 1-9, 11-12, 15-25, 27-28, and 31-94 are pending and Claims 10, 13-14, 26, and 29-30 have been canceled.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-9, 11, 15-25, 27, 31-42, 44-55, & 57-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahl (PCT WO 97/28636) in view of Brenner et al (US 5,830,068).**

**Claims 1-2, 17-18, 33-34, and 46-47:** Dahl discloses a method and means for providing a wagering service via an interactive telecommunications network or system (Abstract). The system comprises of a central gambling station that is connected to player terminals via interfaces within the network. The gambling station establish connections with calling players, checks the player identities, checks players accounts

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in respective bank accounts (database corresponding to wager accounts), collects user inputs respective of played games, and transmits game instructions to and from the individual players. The gambling station provides two-way communications to banks, gambling authorities, players, etc. through a public telephone network, direct transmission lines, television links (Pg. 1:34-Pg. 2:15). Dahl system discloses three different type of wagering interface systems. Dahl discloses an interactive voice response system that receives a voice prompts to a potential player and the player responds via a telephone by transmitting wagering data such as wagering account information (Pg. 5:5-Pg. 6:10). Dahl discloses a computer wagering control system that receives wagering account information from a player via personal computer (Pg. 7:1-5). Dahl further discloses teaches a television control system that comprises of a television & telephone interface, wherein a player can input wagering information via the telephone and visually see wagering and gaming information via the television (Pg. 5:5-Pg. 6:10). Dahl incorporates by reference (Remillard US 5,404,393) that interactive television terminals with set-top boxes are well known in the art. Dahl discloses that the gambling system establishes two-way communications via television links, telephone networks, and direct transmission lines. Dahl further discloses that interactive telecommunication systems earlier known in the art may also be included to the system without extending the scope of the said invention (Pg. 2:35-Pg. 3:1). Brenner discloses a television wagering control system that provides data relative to a single wagering account to television distribution system and receives wagering information from a television wagering terminal that comprises of a set-top box and a television (Col. 3:35-

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45, Col. 6:55-63, Col. 7:35-54, Col. 15:26-35, Col. 19:35-51, Figs 1 & 29). Brenner discloses that such a system/interface decreases the amount of connect time via telephone lines and provide more information to the player via the television (Col. 1:35-Col. 2:29). It would have been obvious to one of ordinary skill at the time of the invention to modify the television wagering terminal of Dahl with the set-top wagering terminal of Brenner for the purposes and advantages of the above.

**Claims 3, 19, 35, 48, 61, 70, 79, & 88:** Brenner discloses the television distribution system being a cable system (Col. 6:55-63).

**Claims 4, 20, 36, 49, 62, 71, 80, & 89:** Brenner discloses the television distribution system being a satellite television system (Col. 6:55-63).

**Claims 5, 21, 37, 50, 63, 72, 81, & 90:** Brenner discloses the television wagering terminal being a cable television set-top box (Col. 7:5-20, Col. 21:15-20, Fig. 30).

**Claims 6, 22, 38, 51, 64, 73, 82, & 91:** Brenner discloses the television wagering terminal being a satellite television receiver (Col. 7:5-20).

**Claims 7, 23, 39, 52, 65, 74, 83, & 92:** Brenner discloses the television wagering control system receiving the wager information from the television wagering terminal via a telephone system connection (Col. 7:35-53, Col. 19:35-50).

**Claims 8, 24, 40, 53, 66, 75, 84, & 93:** Brenner discloses the television wagering control system receiving the wager information from the television wagering terminal via a cable system connection (Col. 19:35-50, Fig. 29 (376)).

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**Claims 9, 25, 41, 54, 67, 76, 85, & 94:** Brenner discloses the television wagering terminal control system receiving the wager information from the television wagering terminal via a computer network connection (Col. 7:35-53, Col. 19:35-50).

**Claims 11, 27, 42, & 55:** Dahl discloses the interactive voice response control system receiving wager information as signals generated in response to one or more telephone key depressions (Pg. 5:5-Pg. 6:10).

**Claims 15, 31, 44, 57, 59-60, 68-69, 77-78, & 86-87:** Dahl discloses the computer wagering control system providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a telephone connection to the external computer via the Internet (Pg. 7: 1-4, Pg. 10:27-Pg. 11:6).

**Claims 16, 32, 45, & 58:** Dahl discloses the computer wagering control system providing the data relating to the single wagering account to the external computer and receiving the wager information from the external computer, through a telephone connection to the external computer (Pg. 7: 1-4, Pg. 10:27-Pg. 11:6). It's well known that a telephone can be in the form of wired or wireless telephone. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow interaction communication through a wireless communication in order to allow all types of user interfaces to access the system.

**Claims 12, 28, 43, & 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahl (PCT WO 97/28636) in view of Brenner et al (US 5,830,068) in further view of Sakanishi et al (US 5,042,063).**

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**Claims 12, 28, 43, & 56:** Dahl in view of Brenner meets all the limitations as disclosed above, but excludes the interactive voice response control system receiving wager information as commands that are spoken by a caller. However, voice response systems that translate spoken words into commands are well known in the art. Dahl discloses that the gambling system establishes two-way communications via television links, telephone networks, and direct transmission lines. Dahl further discloses that interactive telecommunication systems earlier known in the art may also be included to the system without extending the scope of the said invention (Pg. 2:35-Pg. 3:1).

Sakanishi discloses a telephone apparatus wherein a person does not have to press key to make calls but can simply say the dial commands. The telephone translates the utterances into dial commands (Abstract). It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Dahl in view of Brenner such that not is wagering data (numbers) keyed in via a telephone, but can be verbally spoken as well, as taught by Sakanishi. Such a modification would provide an alternative means for telephone users that do not want to press any keys.

### ***Response to Arguments***

Applicant's arguments with respect to Claims 1-9, 11, 12, 15-25, 27, 28, and 31-94 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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**Remillard (US 5,404,393) teaches and interactive television system that comprises of a set-top box television terminal for user participation in various activities.**

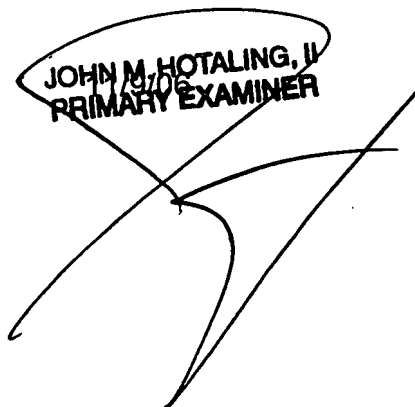
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

JOHN M. HOTALING, II  
10/06  
PRIMARY EXAMINER



**Notice of References Cited**

Application/Control No.

09/330,963

Applicant(s)/Patent Under  
Reexamination  
MCNUTT ET AL.

Examiner

Tramar Harper

Art Unit

3714

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,830,068	11-1998	Brenner et al.	463/42
*	B	US-5,042,063	08-1991	Sakanishi et al.	379/88.03
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	WO 9728636 A1	08-1997	World Intellect	DAHL, AXEL	
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EVIDENCE APPENDIX C  
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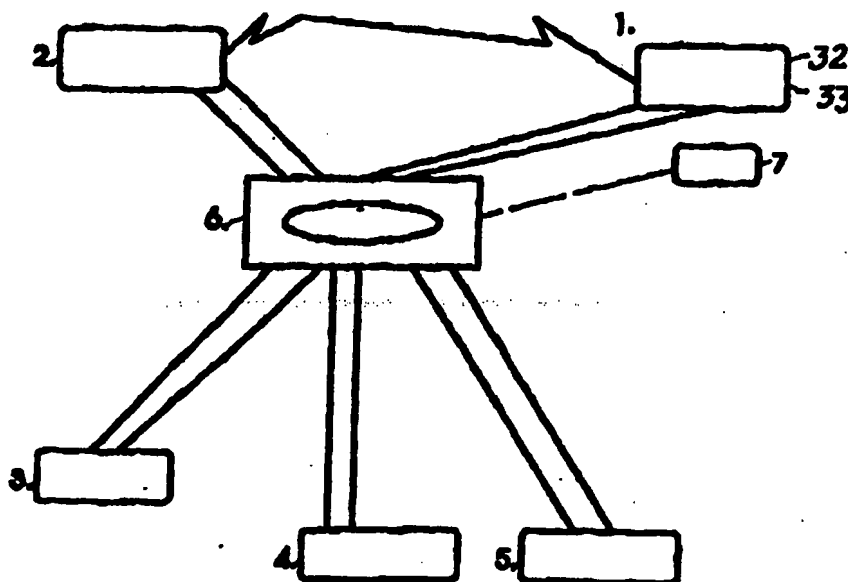
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(54) Title: **A METHOD AND A MEANS FOR PERFORMING A SERVICE VIA AN INTERACTIVE TELECOMMUNICATION NETWORK**

## (57) Abstract

A method and a central unit adapted for carrying out and interactive playing procedure according to which players (1), who at least have a key telephone instrument (33) at their disposal, may participate on an obligating basis in a gambling procedure, such as a play for money, by a telecommunication network adapted to interchange data between each player (1), at least one public bookmaker (4, 5) at least one bank (3), and a specific central unit or gambling station (6). The player (1) transmits his bank account number and his authorisation/identification (PIN) code to the gambling station (6). The gambling station (6) establishes connections to the bank(s) (3), the bookmaker(s) (4, 5);

transmits a clearance signal to the player (1) once the authorisation/identification code has been accepted and if the bank account has sufficient coverage, as well as instructions to the player (1) about how to handle his telecommunication equipment (32, 33) to select the desired gambling combinations and possibly correcting same. The gambling station (6) also executes the necessary procedures and takes care of receipts for the played combination and forwards same to the player (1).



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A METHOD AND A MEANS FOR PERFORMING A SERVICE VIA AN INTER-  
ACTIVE TELECOMMUNICATION NETWORK.

The present invention relates to a method for taking  
part in a game via a telecommunication network.

5 The invention also relates to a new central unit adapted  
to carry out the above method.

Interactive telecommunication systems in which the user  
by means of a television set may participate in different  
activities are earlier known. As an example of the prior art  
10 it is referred to the US patent No. 5.404.393 from which a  
method and an apparatus for accomplishing an interactive  
television connection using menu-windows are earlier known.

However, methods or systems which allow prosecution of  
a binding participation in a game, and in particular in a  
15 game about money via interactive telecommunication systems  
are not earlier known.

The object of the present invention is in first hand to  
provide a method and a central unit which make it possible  
for players to participate in a binding or obligating way in  
20 games, and in particular to take part in gambling games in  
which the player shall play for a specific amount or stake,  
via a telecommunication network.

Further it may be said that an object of the present  
invention is to provide a method and a system according to  
25 which a binding participation in a game about money may be  
fulfilled substantially by means of existing telecommuni-  
cation links which are interconnected in a new central unit  
or gambling station which also comprises connections to at  
least one bank and at least one public bookmaker and where  
30 the gambling station also ensures and takes care of the  
authentication, both by checking the identity of the parti-  
cipants and the bank account coverage and by producing and  
taking care of receipts for games that are fulfilled.

To meet the above objects a central unit has been  
35 developed in connection with this invention, which central  
unit also is referred to as the gambling station, and this  
gambling station is connected to a telecommunication network  
via suitable interfaces, while the gambling station accom-  
plishes the establishing of connections with calling players,  
40 checks the players identification codes, checks the players

coverage in associated bank accounts, collects relevant information about the desired game, transmits game signals and game instructions to and from the players on an individual base, and produces and stores receipts for games that  
5 are completed.

The gambling station according to the present invention is adapted to establish, partly one-way, partly two-way communications via a telecommunication network such as the public telephone network, direct transmission lines and  
10 television links. The gambling station according to the present invention is also provided with suitable interfaces to establish two-way connections with banks and public bookmakers such as national lotteries, public gambling authorities etc. (in Norway e.g. Norsk Rikstoto, Norsk  
15 Tipping etc.).

The gambling station according to the present invention is construed to function as one among several commission agents for different games about money being practical at any time period.

20 To give a more clear understanding of the invention it is referred to the detailed description of some embodiments given below, and to the accompanying drawings in which:

Fig. 1 illustrates the structure of a telecommunication network which makes it possible to participate in games about money, directly via a telecommunication network, and  
25

Fig. 2 illustrates in more detail the functional units which may be included in a gambling station 6, which is the main part of Fig. 2.

30 It is emphasized that the reference numbers used in both figures are identical when applicable. Similarly it should be pointed out that the shown embodiments are not meant to be limiting examples of the present invention which may be implemented in many different ways not explicitly  
35 shown in the embodiments. Finally it should be mentioned that earlier developed details and prior art technique assumed known within this art and relating to interactive telecommunication systems, are not shown in the figures to avoid unnecessary complex examples. Thus, a lot of details  
40 and techniques earlier known in connection with interactive telecommunication systems may also be included in the system

without extending the scope of the present invention.

In Fig. 1 it is shown that the equipment which may be present at any player 1 may comprise a telephone instrument, a television set having teletext facilities, and possibly a personal computer 7. It should already be pointed out that in the simplest embodiment of the invention the player only has a key telephone set which will be sufficient to make use of the invention. In Fig. 1 a television station 2 is also shown. Although the figure assumes that the signal transmission is accomplished as a wireless transmission, this is not a limitation as the connection from the television transmitter to the television receiver also may be a cable connection. The bank 3 on the figure may be an existing public bank or one specific game bank established for the players and in which all the accounts are game accounts established for people taking part in this type of interactive gambling. The bank 3 then possibly may be a bank in which each single player has made an advance deposit for which he want to play, and where each player has been associated to a member or account number or any other type of registration number which may be linked to his account number. On the figure it is also shown two "public bookmaker companies", as in this example a national Football pools company 4 (in Norway: Norsk Tipping) and a public Totalisator board 5 (in Norway: Norsk Rikstoto).

When the system units shown in Figure 1 are considered, the following details may also be mentioned:

1. The caller/player

The player need to have a telephone apparatus and possibly also a television set, preferably with facilities for teletext. The player establishes an account in a bank. This account may freely be used by the account-holder by means of a PIN-code transmitted to the direct game central (DC). The player may also use a personal computer such as PC 7, but this feature is not absolutely required.

2. Television station

One or more television stations having interactive teletext facilities.

3. Bank

One (or more) bank(s) in which the player deposite a game account.

#### 4. Football pools (in Norway: Norsk Tipping)

With a system according to the present invention the player may interactively take part in the different games for money in the Norwegian football pools, which includes several money games, such as totalisator games, betting and lotteries (in Norway: Lotto, Vikinglotto, Fotballtipping, Oddsen etc.).

#### 5. Norwegian horse races

With this system the player may interactively take part in all money games under Norwegian horse racing (Norsk Rikstoto), which includes many different games (V75, V5, Dagens Dobbel, Vinner, Trippel etc.).

#### 6. D.S. (Direct play central).

The D.S.-company is meant to be the "interactive representative (commission agent)". In this company one will find central unit which "treats" the sound signals and possibly also the teletext pictures which the player needs for his playing operation. The central unit (DS) makes contact with all the system units (from 1-5 on Fig. 1) and checks that everything is handled correctly. The D.S. unit registers and copies all the transactions and also the sounds/pictures/-coupons.

All the units are connected to the gambling central 6, also referred to as the direct play central (DC) or central unit, via the telecommunication lines which preferably are directly established digital lines with an established connection preferably via suitable coaxial cables or glass fibre cables giving a high security against tapping and disturbances interfering with the transactions or the games. These connections or links are assumed on the figure, however, without any specific reference numbers. On the figure it is only referred to one single player and he has been provided with a telephone, a television set including teletext facilities and also a personal computer. It should, however, be emphasized that a large number of players may be handled simultaneously and the players may be connected to the central unit in different manners and may also have different types of sophisticated equipment accessible. A minimum requirement is that each player must have possibility for telephone contact with the DC central unit and accordingly he must have a telephone instrument or a mobile

telephone. However, both a TV-set and a personal computer are options which not necessarily has to be met.

The players usage of the system is shown in the below example describing the procedure.

- 5 1. The player makes a call to the central unit or telephone number (usual tax or additional tax).
2. The player is asked, from the gambling central 6, to give his bank account number and thereafter he is asked to give his 4-numbers PIN-code. If the account number or the  
10 PIN-code is erroneous, the player has two new possibilities. If all three repetitions are wrongly dialed the bank is informed from DC central unit and the account is closed until the account-holder takes personal contact. If, however, the number is correctly dialed, a new teletext page  
15 informing about the saldo and other details is presented to the player.
3. If teletext is desired and accessible, the DC central unit search (through a specific system not shown) after an accessible television channel, and on this channel a search  
20 is made after an unoccupied teletext page. If no teletext pages are accessible, the game may be fulfilled via the sound channel only.
4. By using the teletext-system the player is informed via his unique teletext page having a DS-logo, and a page in-  
25 cluding a main menu which (in its first version) comprises the following text: Press 1 for game 1 (Lotto), press 2 for football pools, press 3 for numbers game (Oddsen) or press 4 for horse racing, and 5 for information. The player then selects a game as desired, e.g. a numbers game (Lotto).
- 30 The DS central unit gives the player the relevant pieces of information related to the selected game.
5. The player is asked to complete his coupon (or forecast) via the phone. All keys depressed are shown on his specific teletext screen and at the same time the values may be heard  
35 via the phone. If a key is pressed erroneously corrections are made e.g. by depressing one specific key as the \*-key.
6. Once the coupon is finished, the transaction is completed by depressing one specific key, such as the #-key. Thereafter the completed coupon is shown on the teletext  
40 screen (if viable) and is also repeated via the phone connection. The DS central unit checks that the account has

sufficient coverage and that the coupon is accepted. If everything is OK the player may accept the game by e.g. depressing the \*-key once more, whereupon the coupon is registered and gets a unique identification number which also is the receipt number for the player. The coupon with this ID-number is copied and transmitted to the correct address, which e.g. may be the player, a public gambling company, a bank, an internal separate system or other receivers. The bank at once debits the amount at stake from the player's account, and the bank also performs the transmittal of the coupon with the receipt number. The player can read his receipt number on his teletext screen and is asked whether he want to go on with other games or make more coupons. If the player want to end the transaction the transiever is simply hooked. If the player want to continue the main menu is repeated e.g. as the player depress his #-key, but if he shall only play a new coupon in the same game he may wait without making any new key pressures. The coupon, the transaction and the receipt number are registered and stored e.g. at the DC central unit, a public bookmaker and/or the bank. The coupon and the receipt number may be stored by a gambling firm which e.g. may be a national lottery or a bookmaker (in Norway: Norsk Tipping or Norsk Rikstoto). The same procedure may be followed without any teletext use, only with sound facility. This may in particular be the case if the player stays at a location without television (in car, abroad etc.), without teletext accessible or in situations where all the teletext pages are occupied.

In Fig. 2 a more complete structure of the functional blocks which are to be included in the gambling central 6 from Fig. 1, is shown.

First of all it should be noted that the players 1, of whom only one having the reference number 1, is shown on Fig. 2, may be provided with different units on their individual locations. Thus, the player 1 on Fig. 2 has been shown with a television set 32, a telephone instrument 38 as well as a personal computer 7, while other players may be provided only with a telephone instrument 33 and a television set 32, while still other players may be provided with a telephone 33 only, and this telephone may be a usual



key phone or a mobile telephone set. With the present technique it is implicitly understood that the complete telecommunication function may be implemented within a personal computer, such as PC 7 on the figure.

5        On top of Fig. 2 the remaining parts of the external network are shown with the same reference numbers as used on Fig. 1, and these parts therefore will not be explained in any detail here. It should, however, briefly be mentioned that the direct game central or gambling station 6 is connected to one or more television stations 2, one or more banks 3 and one or more public bookmakers 4,5, e.g. via the public telecommunication network. Below the function blocks comprised in the direct game central 6 will be explained in more detail.

15        The most important units within the gambling station 6 are the audio unit 10, the communication exchange 11, the bank unit 12 and the game unit 13. These units or circuitry implementing their functions have to be present if the gambling station 6 shall work as assumed. The communication exchange 11 receives, evaluates, converts, and formats and finally transmits all signals used by the gambling station 6, both when internal communication and external communication are considered.

25        A short presentation of the remaining function blocks included in the gambling station 6 will be given before the function is explained. The audio unit 10 is connected to a function block 14 which is activated when audio signals are to be used together with a teletext transmission. This block may be referred to as audio with teletext (TTV). The audio unit 10 is in addition connected to a separate audio unit which only is activated when a phone is used alone. This functional block is referred to as 16 and is denoted as audio for telephone.

35        Below the communication center 11 it is arranged a teletext unit 16, an identification unit 17, a member database 18, a teletext station selector 19, as well as a teletext page-selector 20. In addition there is a personal computer/Internet unit 31 adapted to receive/transmit information from/to the personal computer 7 at the players location. This last mentioned communication may take place via an analog or digital line, such as ISDN. The function of

these blocks will be described in more detail below.

The communication center 11 is also connected to the bank unit 12 and the game unit 13, but the two last mentioned units are also, according to a preferred embodiment associated with several sub-functions. Below the bank unit 12 a security box 21 is arranged, in particular adapted for checking of PIN-codes and a receipt unit 22 to register and store receipts associated with finished games.

Below the game unit 13 there are, in the shown embodiment which however only represents an example of implementation of the invention, three units 23, 24, 25 adapted for collecting of information related to horse racing, football pools and numbers games (Lotto). In addition there are still further units such as the system game unit 26, the odds calculating unit 27, an advising unit 28 and the unit for additional game information 29.

Finally there is provided a further security unit 30 implemented as an insulated security store 30, in particular adapted to function as a back-up store of receipts. This security unit 30 may be incorporated in the game unit 6, but may also be located at a remote place due to security reasons.

The function of the system will be briefly explained below with reference to Fig. 2.

When a player 1 will contact the game system and accordingly also the gambling station 6, he uses his telephone 33 and dials the number to the gambling station. Then a speech connection is established via general telecommunication network of any time, to the audio unit 10 within the gambling station 6. The audio unit 10 reacts on the call by returning a question, e.g. by means of a digital speech generator, asking who the calling player is and also asks the player to state this by means of his keyboard. The user then may depress the keys corresponding to a number stating his identity, such as a bank account number, a member number or even his own phone number, whereupon the audio unit 10 via the communication exchange 11 checks all these details in its identification unit 17 and in the member database 18. In this connection a check may also be carried out to ensure that consistent or correlating numbers are received to enhance the security function. If the signal returning from

the communication unit 11 to the audio unit 10 represents an acceptance of the member identification, the communication exchange 11 at the same time will transmit information to the audio unit 10 whether the present subscriber 1 is associated to a teletext facility or not, and if this is the case, also via which television stations he is associated. If the subscriber 1 has a teletext facility, the page selector 20 will search for free teletext pages and a unique teletext page will be communicated to the player 1 and corresponding information is transmitted via the communication exchange 11 to the television stations 2 involved in the transmission to the present subscriber 1. The player 1 then receives a phone message from the audio unit 10 and is asked to select page x from the television station Y. The player 1 then will receive information via the audio unit 10, via the phone 33 and from the television station 2 on his unique teletext page on his television set 32.

Once this/these connection(s) is/are established, the audio unit 10 and/or the teletext page request(s) that the user gives his bank account number (or another identification number), which then are checked via the communication exchange 11 and the bank unit 12, whereupon the security is further increased as the user 1 is asked to give his personal identification or PIN-code which thereafter is checked by the PIN-code unit 21. The bank unit 12 also is connected to external banks 3 via the communication exchange 11. However, the situation may be that a separate bank account has been established within the very bank unit 12 meant only for use in connection with such games. With this implementation of the exchange it is ensured that the player may accomplish the game procedure from any accessible location having a key telephone and possibly other optional equipment, that is even if he is not present at his own home station.

If all conditions are accepted so far, the player is asked to select the games in which he want to participate, whereupon he is interconnected to the game unit 13 and its sub-units related to the different types of games included. The game unit 13, via the communication exchange 11, also is connected to the participating bookmaker companies 4,5 as mentioned above. The game unit 13 may now collect relevant and new details from the bookmaker 4,5 related to just the

game in which the user want to participate. All such details are not mentioned here, but if e.g. football pools are considered, several facts about the team composition, different injuries, previous results etc., may be of interest.

5 For other gambling societies corresponding data may be given. In a similar way odds and different advises related to all types of betting and gambling may be collected. Statistical data of different origin related to the game in question, may also be found. Accordingly it should be understood that the game unit 13 with its sub-units may be adapted to the different types of games and to the players desires.

Once the player has collected all advices he needs to accomplish his game, he is asked to select his present combinations or systems by means of the telephone keys.

When the desired game combination has been selected, it is transmitted to the communication exchange 11 which via the bank unit 12 checks whether there is sufficient coverage, whereupon the relevant account is debited and a clearance signal is sent to the game unit 13 at the same time as a receipt is made, registered and stored in the receipt unit 22 and possibly also in an isolated security store 30 via the communication exchange 11. The very game is then at once undertaken as the game unit 13 via the communication exchange 11 forward data to the selected bookmaker company 4,5 about the game which is made.

It should be emphasized that all the shown interconnections between the different function blocks are implemented as two-way data connections which may be realized in any known manner if only the capacity and the bandwidth is sufficient to transmit the required signals. The signals may also be transmitted in different manners, i.e. as optical signals, as electronic voltage levels, and/or as puls code signals, and if desired the transmission may be undertaken on a multiplex basis within such systems.

If the player has an associated personal computer PC 7, all information may possibly be transmitted via this computer, e.g. on Internett, or by directly establishing calls via the telecommunication network, e.g. via an ISDN connection, or via a more conventional analog telephone connection, to the gambling station 6. Information signals from/to the

personal computer 7 is treated in suitable interfaces in the personal computer itself or in the Internett unit 31.

The function of the plant substantially will be as explained above, but it should be emphasized that the system  
5 may be varied and modified in many ways without leaving the scope of the present invention. Some of the functions may e.g. be located outside the gambling station, e.g. within an external bank 3 if expedient. The numbers used as information data may also include alpha numeric symbols as well as  
10 numbers in a specific number system. Although the interfaces between different units normally will be placed within the communication unit 11, many of those may be located in other units if desired. It should also be noted that some or all functional units may be designed as separate electronic  
15 circuits and/or may be implemented by means of software. The advices and the information needed as a basis for the game unit 13, may be collected from external and internal sources, several function units may be deleted from the central unit 6 and the number of players which can use the game  
20 facilities at same time are only limited by the system design and complexity.

## C l a i m s

1. A method for carrying out services via interactive telecommunication networks,  
c h a r a c t e r i z e d i n that the service to be carried out is an interactive game procedure according to which players (1) who at least have a key telephone instrument (33) at their disposal may participate on an obligating basis in a gambling procedure, via a telecommunication network adapted to establish a two-way communication between each player (1), at least one public bookmaker (4,5), at least one bank (3) as well as a specific central unit or gambling-station (6) as
- each player (1) establishes a connection with the gambling station (6) and transmits his bank account number and his authori-zation/identification(PIN) code, and also a desired game specification,
  - that the gambling station (6) establishes a connection to the bank (3),
  - that the gambling station (6) returns an acceptance signal to the player (1) if the authorization/identification code is correct and the said bank account has coverage,
  - that the gambling station (6) establishes a connection to the public bookmaker (4,5) in question,
  - that the gambling station (6) collects relevant data on the game, for instance from the said public bookmaker (4,5),
  - that the gambling station (6) makes the collected data available to the player (1) via the telecommunication network,
  - that the gambling station (6) transmits instructions to the player (1) on how to handle his telecommunication equipment (7,32,33) to select the desired game combination and possibly correct same,
  - that the player (1) selects and transmits the desired game combinations to the gambling station (6) according to the received instructions,
  - that the gambling station (6) transmits data related to the transaction to the bank (3) for acceptance,
  - that the gambling station (6) transmits the accepted game-combination to the public bookmaker (4,5) and a debit order to the bank (3),

- that the gambling station (3) produces and takes care of the receipt for the combination played and the debeted amount and then send these pieces of information to the player (1).

2. A method as claimed in claim 1, characterized in that the player's (1) telecommunication equipment consists of a key telephone-instrument (33) only.

3. A method according to claim 1 or 2, characterized in that the player's (1) telecommunications equipment also comprises a television set (32) provided with a teletext facility and that the gambling station (6) comprises a teletext unit (16) adapted for transmission of specific teletext pages to each specific player.

4. A method as claimed in any one of the claims 1-3, characterized in that each player (1) in addition is provided with a computer (7) connected to the telecommunication network and adapted for transmitting the desired game combinations to the gambling station (6).

5. A central unit for carrying out services via interactive telecommunication networks, characterized in that the central unit is designed as a gambling station (6) adapted to execute game procedures so that a telecommunication subscriber (1) may select game combinations or pay obligating stakes in games via interactive telecommunication connections, which gambling station (6) comprises:

- an audio unit (10) adapted to transmit and receive data to/from the player (1),
- a computer/internet unit (31) adapted to transmit/-receive pieces of information to/from the computer (7) located at the player (1),
- a communication exchange (11) adapted to transmit and receive data to/from at least one public bookmaker (4,5), at least one bank (3), and at least one telecommunication station such as a television station (2).

- a bank unit (12) adapted to check the player's (1) identity and register receipt for the amount of money at stake,
- a game unit (13) adapted to collect, store and transmit relevant game data, and
- necessary interfaces to establish two-way connections between the telecommunication-network and the gambling station (6).

6. A central unit according to claim 5, characterized in that the communication exchange (11) in addition comprises a teletext unit (16) adapted to transmit separate teletext pages to each single player (1) via at least one television station (2).

7. A central unit according to one of the claims 5 or 6, characterized in that the communication exchange (11) in addition is connected to an identification unit (17) and member data base (18) adapted to check the identity of the player (1).

8. A central unit according to one of the claims 5-7, characterized in that the game unit (13) comprises sub-units (23, 24, 25) adapted for collecting detailed data related to the different games from external public bookmakers (4,5).

9. A central unit according to one of the claims 5-8, characterized in that the game unit (13) in addition comprises sub-unit (26, 27, 28, 29) adapted to collect game relevant information such as odds, system combinations, game statistics and reduced game systems.

10. A central unit according to one of the claims 5-9, characterized in that it in addition comprises or are connected to an additional, separate security memory (30) adapted to take care of copies of the receipts for games that are completed.



## AMENDED CLAIMS

[received by the International Bureau on 25 June 1997 (25.06.97);  
original claims 1 and 5 amended; remaining claims unchanged (4 pages)]

1. A method for carrying out services via interactive telecommunication networks, and in particular services related to an interactive game procedure according to which players (1) who at least have a key telephone instrument (33) at their disposal may participate in a gambling procedure, via a telecommunication network adapted to establish a two-way communication between each player (1), at least one public bookmaker (4,5), as well as a specific central unit or gambling-station (6) as
  - each player (1) establishes a connection with the gambling station (6) and transmits his identification code, and also a desired game specification thereto, characterized in that
    - the telecommunication network also is connected to at least one bank (3) and that each player (1) also transmits his bank account number and/or his authorization code to the gambling station (6), whereupon
      - the gambling station (6) establishes a connection to the bank (3),
      - the gambling station (6) returns an acceptance signal to the player (1) if the authorization/identification code is correct and the said bank account has coverage,
      - the gambling station (6) establishes a connection to the public bookmaker (4,5) in question,
      - the gambling station (6) collects relevant data on the game, for instance from the said public bookmaker (4,5),
      - the gambling station (6) makes the collected data available to the player (1) via the telecommunication network,
      - the gambling station (6) transmits instructions to the player (1) on how to handle his telecommunication equipment (7,32,33) to select the desired game combination and possibly correct same,
      - the player (1) selects and transmits the desired game combinations to the gambling station (6) according to the received instructions,
      - the gambling station (6) transmits data related to the transaction to the bank (3) for acceptance,

- the gambling station (6) transmits the accepted game-combination to the public bookmaker (4,5) and a debit order to the bank (3), and
- the gambling station (3) produces and takes care of the receipt for the combination played and the debeted amount and then send these pieces of information to the player (1), so that a game procedure is fullfilled on a binding basis.

2. A method as claimed in claim 1, characterized in that the player's (1) telecommunication equipment consists of a key telephone-instrument (33) only.

3. A method according to claim 1 or 2, characterized in that the player's (1) telecommunications equipment also comprises a television set (32) provided with a teletext facility and that the gambling station (6) comprises a teletext unit (16) adapted for transmission of specific teletext pages to each specific player.

4. A method as claimed in any one of the claims 1-3, characterized in that each player (1) in addition is provided with a computer (7) connected to the telecommunication network and adapted for transmitting the desired game combinations to the gambling station (6).

5. A central unit for carrying out services via interactive telecommunication networks, which central unit is designed as a gambling station (6) adapted to execute game procedures so that a telecommunication subscriber (1) may select game combinations and pay stakes in games via interactive telecommunication connections, which gambling station (6) comprises:

- an audio unit (10) adapted to transmit and receive data to/from the player (1),
- a game unit (13) adapted to collect, store and transmit relevant game data, and
- necessary interfaces to establish two-way connections between the telecommunication-network and the gambling station (6),

c h a r a c t e r i z e d i n that the gambling station in addition comprises:

- a computer/internet unit (31) adapted to transmit/-receive pieces of information to/from the computer (7) possibly located at the player (1),
- a communication exchange (11) adapted to transmit and receive data to/from at least one public bookmaker (4,5), at least one bank (3), and at least one telecommunication station such as a television station (2),
- a bank unit (12) adapted to check the player's (1) identity and register receipt for the amount of money at stake.

6. A central unit according to claim 5, c h a r a c t e r i z e d i n that the communication exchange (11) in addition comprises a teletext unit (16) adapted to transmit separate teletext pages to each single player (1) via at least one television station (2).

7. A central unit according to one of the claims 5 or 6, c h a r a c t e r i z e d i n that the communication exchange (11) in addition is connected to an identification unit (17) and member data base (18) adapted to check the identity of the player (1).

8. A central unit according to one of the claims 5-7, c h a r a c t e r i z e d i n that the game unit (13) comprises sub-units (23, 24, 25) adapted for collecting detailed data related to the different games from external public bookmakers (4,5).

9. A central unit according to one of the claims 5-8, c h a r a c t e r i z e d i n that the game unit (13) in additon comprises sub-unit ( 26, 27, 28, 29) adapted to collect game relevant information such as odds, system combinations, game statistics and reduced game systems.

10. A central unit according to one of the claims 5-9, characterized in that it in addition comprises or are connected to an additional, separate security memory (30) adapted to take care of copies of the receipts for games that are completed.

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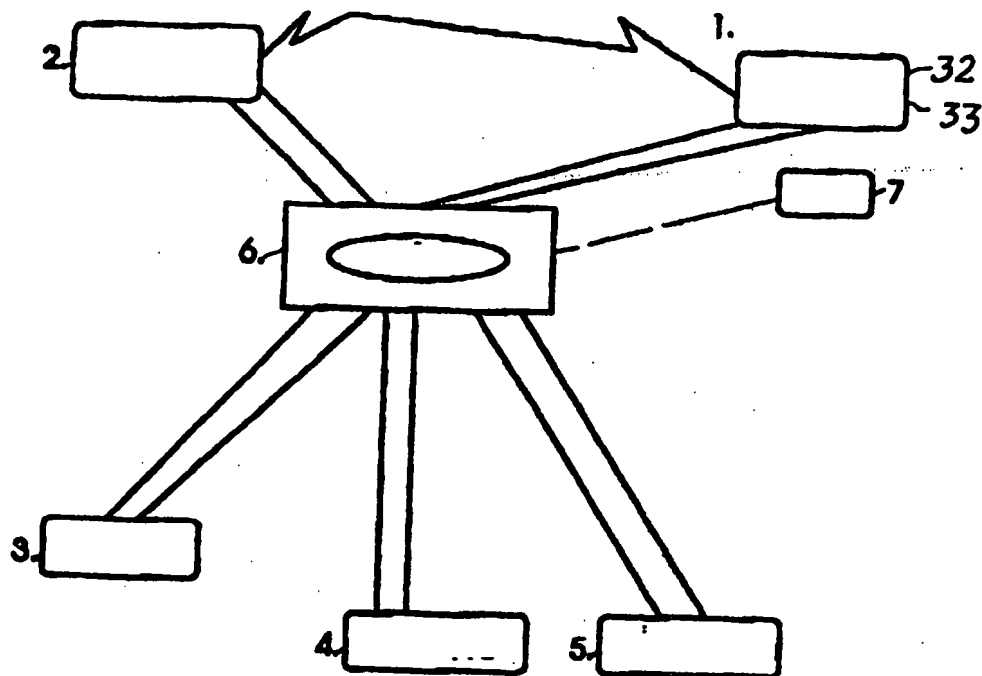


Fig. 1

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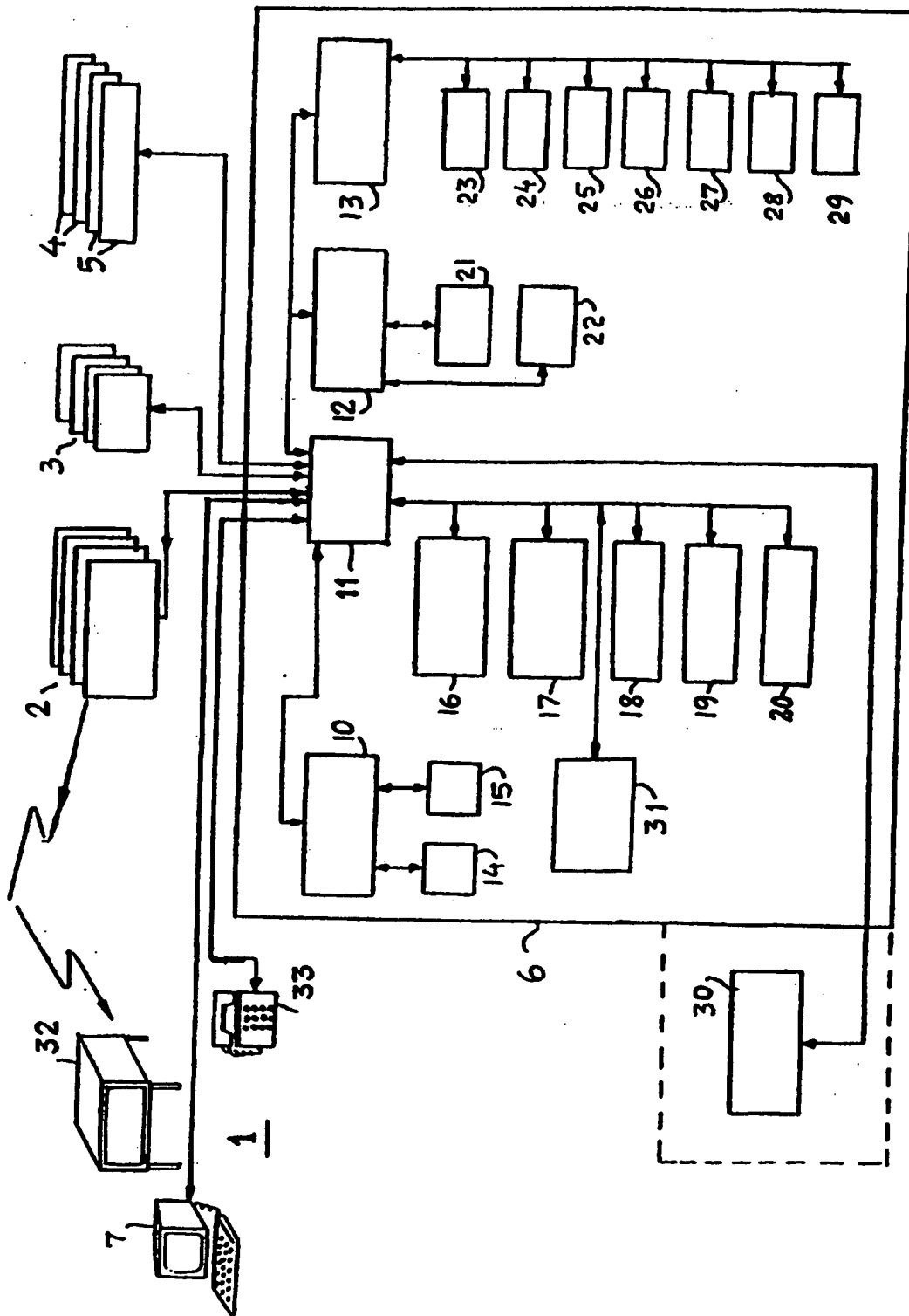


Fig. 2

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/NO 97/00021

## A. CLASSIFICATION OF SUBJECT MATTER

IPC6: H04M 11/08 // G06F 155:00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC6: H04M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SE,DK,FI,NO classes as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WPI

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5365575 A (KATZ), 15 November 1994 (15.11.94), figure 1, abstract	5-10
X	US 5415416 A (SCAGNELLI ET AL), 16 May 1995 (16.05.95), see the claims.	5-10
X	US 5083272 A (WALKER ET AL), 21 January 1992 (21.01.92), column 2, line 65 - column 3, line 47	5-10

☐ Further documents are listed in the continuation of Box C.☒ See patent family annex.

## \* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"B" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&amp;" document member of the same patent family

Date of the actual completion of the international search

25 April 1997

Date of mailing of the international search report

08 -05- 1997

Name and mailing address of the ISA/

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# INTERNATIONAL SEARCH REPORT

International application No.

PCT/NO 97/00021

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 1-4  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:  
  
The subject matter of claims 1-4 relates to rules and a method of doing business transactions and playing games (see Rule 39.1 (iii))
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐  
☐

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.



**INTERNATIONAL SEARCH REPORT**

Information on patent family members

02/04/97

International application No.

PCT/NO 97/00021

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5365575 A	15/11/94	WO 9305483 A	18/03/93
		US 4792968 A	20/12/88
		US 5218631 A	08/06/93
		US 5224153 A	29/06/93
		US 5251252 A	05/10/93
		US 5255309 A	19/10/93
		US 5259023 A	02/11/93
		US 5349633 A	20/09/94
		US 5351285 A	27/09/94
		US 5359645 A	25/10/94
		US 5553120 A	03/09/96
		US 5561707 A	01/10/96
		DE 3853420 D,T	09/11/95
		EP 0342295 A,B	23/11/89
		SE 0342295 T3	
		EP 0620669 A	19/10/94
		US 4845739 A	04/07/89
		US 5014298 A	07/05/91
		US 5073929 A	17/12/91
		US 5048075 A	10/09/91
		DE 3689652 D,T	01/06/94
		EP 0229170 A,B	22/07/87
		SE 0229170 T3	
		EP 0568114 A	03/11/93
		JP 2552469 B	13/11/96
		JP 63500138 T	14/01/88
		US 4930150 A	29/05/90
		US 5109404 A	28/04/92
		US 5128984 A	07/07/92
		WO 8700375 A	15/01/87
US 5415416 A	16/05/95	NONE	
US 5083272 A	21/01/92	CA 1321272 A	10/08/93

EVIDENCE APPENDIX D  
COPY OF BRENNER U.S. PATENT NO. 5,830,068

(x) Related Proceedings Appendix

None.